

**WILLISTOWN TOWNSHIP BOARD OF SUPERVISORS**  
**688 SUGARTOWN ROAD, MALVERN, PA**  
**March 9, 2020 AT 7:00 PM**

The Regular Meeting of the Willistown Township Board of Supervisors came to order at 7:00 PM. Supervisors William R. Shoemaker, Robert T. Lange, and Barbara L. Handelin were present. Also present were Township Manager Sally Slook and Police Captain Robert P. Klinger.

Mike Kerr led the Pledge of Allegiance to the Flag and a moment of silence for military personnel.

**Announcements**

The Board met in Executive Session prior to this meeting to discuss real estate matters.

**New Business**

**Minutes** – Supervisor Handelin moved to approve the minutes of the meeting of February 24, 2020. Supervisor Shoemaker seconded the motion. There were no comments from the Board or the public, and the motion carried 2-0. Supervisor Lange did not attend the February 24, 2020 meeting.

**Expenditures** - Supervisor Handelin moved to approve the list of expenditures and interfund transfers dated March 6, 2020. Supervisor Lange seconded the motion. There were no comments from the Board or the public, and the motion carried 3-0.

**Bartram Bridge Joint Preservation Board Vacancy Appointment** – Supervisor Handelin moved to approve the appointment of Peter Batchelor to fill an unexpired vacancy on the Bartram Bridge Joint Preservation Board. There was no second. Motion failed.

**Bond Refinancing** – Supervisor Lange made a motion to authorize advertisement of parameters debt ordinance for bond refinancing. Supervisor Shoemaker explained the Township is looking into refinancing the Township's general obligation bonds because rates are down to 1%. This motion is to advertise the parameters, not to authorize the refinancing. Supervisor Handelin seconded the motion. Ted Leisenring, 2575 Whitehorse Road, inquired whether this will include the bonds for the Open Space Fund. The Township Manager replied it does. Mr. Leisenring asked if the fund will increase. Supervisor Shoemaker said they are expecting to see approximately \$600,000 savings over 17 years, and the Township will not be taking additional capital out. There were no further comments from the Board or the public, and the motion carried 3-0.

**Resolution 9** – Supervisor Lange made a motion to approve Resolution 9: Accepting Deed of Dedication Of Certain Roadways of Dovecote Lane, Firethorn Lane and Snowberry Lane. Supervisor Handelin seconded the motion. Mike Kerr, 33 Stonehenge, stated the development has been open a long time and asked if any core samples were done on the existing paving to make sure the roads are up to the Township's standards. The Township Manager explained the Board passed the deed of dedication in December 2018, but PennDot requires a resolution accepting the Deed of Dedication for the Township to receive reimbursement under the Liquid Fuels Fund. These roads are on the list kept by the Public Works director for milling and road resurfacing and are up to Township standards. There were no further comments from the Board or the public, and the motion carried 3-0.

**Conditional Use** – Move to approve and issue a Decision & Order in the matter of Application No. C-1-19, the Application of Michael Brooks at 220 Dutton Mill Road, Malvern, PA 19355, single family dwelling known as

tax parcel 54-8-3.5, pursuant to Section 73-32. D of the Environmental Protection Ordinance and 139-118.1 of the Willistown Township Zoning Ordinance. Applicant wishes to construct swimming pool, associated deck, retaining wall, utilities and walkway in areas of precautionary steep slope on property. Supervisor Shoemaker read the following conditions into the record:

The following conditions are imposed and attached pursuant to Section 603 (c)(2) of the Municipalities Planning Code and Zoning Ordinance Section 139-118.1.E. For the purpose of this Decision and Order, and specifically the following conditions, the term "Applicant" shall include the Applicant's successors and assigns and interests with respect to the Property and the Application:

1. To the extent not inconsistent with this Order, the development of the Property and construction of the swimming pool improvements shall be substantially in accordance with the exhibits and testimony presented by the Applicant.
2. No more than ten percent (10%) of the area of the completed structure, including the pool, paved areas, and retaining walls, shall be constructed so as to encroach on areas of precautionary steep slope.
3. The Applicant shall fully comply with all of the recommendations of the Township Engineer per Section 73-33.A.(2) of the EPO, including future recommendations of the Township Engineer to implement this Decision and Order, to the satisfaction of the Township Engineer.
4. The Applicant shall execute and provide to the Township a recordable, notarized copy of a memorandum containing a metes and bounds description of the property in question and stipulating the terms and conditions of this approval and shall consent to the recording by the Township in the office of the Recorder of Deeds of Chester County within thirty (30) days following the date of this Decision and Order.
5. Nothing contained in this Decision and Order shall be construed to abrogate or limit the obligation of the Applicant to seek and obtain building and use and occupancy permits or any other necessary permits and approvals for construction and occupancy on the Property. This approval shall be deemed null and void eighteen (18) months from the date hereof unless construction has heretofore been commenced or unless, prior to the expiration of the eighteen-month period, the Board of Supervisors shall grant an extension for cause shown by the Applicant.
6. The Applicant shall express to the Board in writing within fourteen (14) days of the date of this Decision and Order, its agreement to the above conditions or the Application is denied; the Board expressly finding and concluding that the Application in the absence of compliance with the said conditions is inconsistent with the objective criteria set forth in the applicable provisions of the Zoning Ordinance.

Supervisor Handelin moved to grant Conditional Use C-1-19 approval and issue a Decision and Order. Supervisor Shoemaker seconded. Supervisor Lange abstained from voting due to not being present at the February 24, 2020 meeting. There were no comments from the Board or the public, and the motion carried 2-0.

#### **Citizens Comments**



David Trainer, 39 Duffryn Ave, stated close to the intersection of Devon Road and Paoli Pike, red cones have been in place on the side of the road warning drivers of a ditch since the culvert replacement last year. Mr. Trainer would like PennDot to install a guardrail. Mr. Trainer would also like the storm drain across from Paoli Hospital addressed on Lancaster Ave by PennDot. Drivers swerve into oncoming traffic to avoid the depression caused by the sinking storm drain. The Township Manager will reach out to the Public Works Director to follow up with PennDot.

Township Manager Sally Slook gave updates on prior Citizens Comments. At the March 6, 2020 meeting, Mr. Brooks brought up partially fallen trees in the public right of way that could potentially be hazardous to the public. The Public Works Director went out and will have trees and limbs removed in the coming weeks. At the January 27, 2020 meeting, Jack McGinley, 2 Second Avenue, shared his concerns over potholes on Devon Road. PennDot recently fixed potholes on South Valley Road and Devon Road at the request of the Township. Additionally, the Township gave the new Government Service Representative for PennDot another list of roads that need to be addressed.

### **Next Meeting**

The next meeting of the Board of Supervisors is scheduled for Monday, March 23, 2020, at 7:00 PM the Township Building meeting room located at 688 Sugartown Road.

### **Adjournment**

Seeing no further business, the meeting adjourned.

Sincerely,



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Sally Slook, Township Manager